

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BRIGHT & KUBALE WATER COMPANY, INC.)	
COMPLAINANT)	
)	
VS.)	CASE NO.
)	89-217
)	
HEDGEVILLE WATER ASSOCIATION)	
DEFENDANT)	

O R D E R

On August 1, 1989, Bright & Kubale Water Company, Inc. ("Bright & Kubale") by counsel filed a complaint pursuant to KRS 278.260 and 278.280(3) concerning the Hedgeville Water Association ("Hedgeville"). Bright & Kubale alleged that it is in the public interest for Hedgeville to provide service to the area now served by Bright & Kubale and that Hedgeville should be required to extend its lines to connect with Bright & Kubale. Bright & Kubale further asserts that the refusal of Hedgeville to incorporate Bright & Kubale lines is unreasonable and unjustly discriminatory and is contrary to KRS 278.170.

On August 15, 1989, the Commission ordered Hedgeville to satisfy or answer the complaint. On August 23, 1989, Hedgeville filed its answer, denying certain of the allegations and affirmed by simply stating that Bright & Kubale was not constructed in accordance with Commission standards and that it would be unfair to place the burden of upgrading the Bright & Kubale system on the

subscribers of the Hedgeville system. Hedgeville further asserted that it would not object to supplying water to Bright & Kubale subscribers if the developers or customers assumed the cost of extending the lines and upgrading the system.

On September 12, 1989, Bright & Kubale filed a motion to schedule a hearing and for expediting a hearing contending that this matter should be resolved expeditiously because of the need to maintain a reliable water supply system and possible need to accomplish necessary construction before the construction season concludes.

The Commission, having considered the complaint and the answer and the motion to schedule a hearing, and being otherwise sufficiently advised, HEREBY ORDERS that:

1. Bright & Kubale shall file a response to the following information requests no later than October 9, 1989:

a. A schematic map showing its water system and the location of all customers.

b. A description of its water system facilities in narrative format.

c. A list of all charges made to customers for the supply of water including monthly rates, tap-on fees, maintenance fees, and any other service charges.

d. A narrative statement of its conditions to provide service.

e. Any engineering study describing the feasibility of Hedgeville providing service to Bright & Kubale customers and the current conditions of the Bright & Kubale system.

f. The names and qualifications of persons managing the Bright & Kubale system or providing for its maintenance and operation.

2. Hedgeville shall respond to the following information requests no later than October 9, 1989:

a. A schematic map of its system.

b. The names and qualifications of persons providing maintenance and operating the Hedgeville system.

c. Any engineering report describing the feasibility of providing service to Bright & Kubale customers.

3. An informal conference shall be held to discuss the information filed in this proceeding and any options and possible settlement to begin at 10:00 a.m. EDT on October 13, 1989 in the Commission's offices, Frankfort, Kentucky. By October 9, 1989, Bright & Kubale and Hedgeville shall file a list of those persons who will be present at the informal conference. Bright & Kubale and Hedgeville shall also file by October 9, 1989 a list of issues each wishes to discuss at the informal conference.

4. If resolution is not reached through the informal conference, then a hearing will be held on November 14, 1989 beginning at 10:00 a.m. EST in the Commission offices at Frankfort, Kentucky.

Done at Frankfort, Kentucky this 3rd day of October, 1989.

ATTEST:

Executive Director

PUBLIC SERVICE COMMISSION



For the Commission